

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Rourke M. Yeakley

Serial No.: 10/617,166

Filed: 07/09/2003

Group Art Unit: 3754

Subject: PRE-DOSED ORAL LIQUID
MEDICATION DISPENSING SYSTEM

Examiner: Keasel, Eric. S.

Attorney Docket No.: YEAR102

**Attorney's Declaration in Support of
RESPONSE TO EXAMINER'S ACTION**
Dated: April 4, 2006

Comes Now, Applicant's Derek H. Maughan, an adult of legal age and appropriate capacity and declares of his own personal knowledge that:

The attached exhibits A-D are true and correct copies of letters from Naomi Vulgamore RN, BSN; Jeffrey D. Robbins MS, RN, FNP; Bradley Chatlin M.D.; Ted Fava CMR which were delivered to me by Applicant Dr. Rourke M. Yeakley and which characterize and describe the long standing need for the present invention and how the present invention meets this need.

The undersigned being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application or any resulting patent, declares that all statements made of his own knowledge are true and all statements made on information and belief are believed to be true.

Dated this 26th day of June 2006.



Signature

Derek H. Maughan, Atty.
Print or Type Name and Position

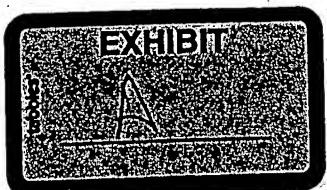
May 6, 2006

To Whom It May Concern,

I have been an Emergency Room Registered Nurse for seven years. I have recently heard of a product currently under patent by one of the physicians with whom I work, Dr. Roarke Yeakley. The availability of this product in the ER would allow for immediate treatment because this product would be readily available in the department. We frequently wait for up to an hour for pharmacy to dispense medications. This not only delays care but is frustrating for families who are typically out in the evening and night seeking treatment for their child. What an improvement in the quality of patient care this product would provide. This would also be convenient and safe for home use by parents because the sterile vials are safe until they are collapsed and would make travel with medication so convenient. To my knowledge there is no other product similar to this available for use at home, in physicians offices, and in the Emergency Department. Thank you for your time in consideration of this product.



Naomi Vulgamore RN, BSN



Jeffrey D Robbins, MS, RN, FNP.
1011 Peregrine Dr.
Nampa, ID 83651

May 5, 2006

To whom it may concern,

I have reviewed the application for the invention: "Predosed Oral Liquid Administration System" (Application #10/617166). I have been a registered nurse in the emergency department for many years and have recently become a nurse practitioner. This invention is exactly what is needed for ease of use, efficiency, and additional safety for patients. The importance of having this product in the emergency room would prevent medication administration mistakes, decrease patient wait time while waiting for medications from inpatient pharmacy and reduce unnecessary partial medication waste. This in turn would increase patient safety and customer satisfaction.

In addition, this product would be very beneficial for parents to use at home. First of all, each dose would be sterile. Second, it would be convenient to give and third, it would deliver the exact amount of medication with each administration. Further, it would allow patients to travel and not worry about refrigerating their medication to maintain efficacy.

I have never seen a similar product in use and I have worked in 7 different emergency departments in this state and have worked in multiple clinic sites as a nurse practitioner student. This product would be a welcomed addition to the tools needed to practice the art of nursing and medicine alike and would be a excellent way for parents to manage their children's illnesses.

Please allow this invention to be patented so we can begin using it practice. Thank you.

Sincerely,



Jeffrey D. Robbins, MS, RN, FNP.

EXHIBIT

B

May 30, 2006

To Whom it May Concern:

My name is Bradley Chatlin and I am an Emergency Medicine Physician that is writing a letter of support for the invention by Rourke Yeakley that allows us physicians to give individual oral doses of medicine.

I see many applications for this product in my practice. I have worked predominately overnight shifts for the last three years and have been often times frustrated by the lack of options of individual doses of antibiotics. I have been forced to give intramuscular injections, which are painful or have to rely on the parents to go to a pharmacy at 2 in the morning to get the prescription filled. It would be extremely useful to have these individual doses in the Emergency Department to give to the patients right when they need them.

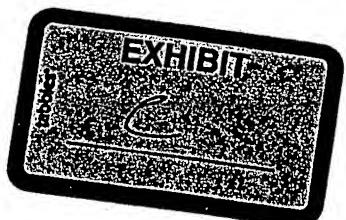
I believe the application of this device is not only for use in the Emergency Department. I foresee us prescribing these individual doses to parents to take home and break open when it is time for each dose. This allows the individual doses to remain virtually sterile and free from contamination and also allows flexibility for sending it to school or day care etc, with the patient without having to remember to refrigerate the medicine at each of these places.

I have never encountered any similar products in my practice of medicine and would hope that something like this could be produced as I think it is desperately needed.

Thank you,

bradley chatlin m.d.

Bradley Chatlin M.D.



Ted Fava, CMR
137 49th Ave PL NW
Hickory, NC 28601

June 5, 2006

To Whom It May Concern,

After reading the patent filing regarding Dr. Rouke Yeakley's idea for a single dose system to more easily and efficiently administer an oral dose of medication to patients, I felt compelled to write a short letter of endorsement.

I have worked the past 14 years for a major pharmaceutical company as a healthcare representative, institutional healthcare representative and now as a district manager. Much of my sales experience has been within hospitals and specifically emergency departments providing information and services for acute care medications. I have often run into the complaint by healthcare providers that dosing of medications for pediatrics is always a challenge and that it would be nice if my company could provide an easier dosing form or dispensing system to help in this area. To date I know of no form of delivery or dispensing system available in a prepackaged single dose form for oral medications to address this need.

In the emergency room setting once it is determined that a patient needs an antibiotic, it has been shown in numerous well designed studies that positive outcomes for patients are directly linked to the speed with which the medication is administered. Unfortunately, in the pediatric setting this usually means an injection, which is both painful and traumatic for the patient and parents. And depending on the time of day and how busy the hospital is, the IM dose is often delayed in reaching the emergency department. The idea of having a prepackaged dose of antibiotic on hand is a great way to address this challenge.

Furthermore, I can see possible future use of this idea in the home setting. Parents will be able to more easily give their children prepackaged doses of medication at home, and thus, increase compliance with longer courses of therapy which is another challenging area.

This is truly a great idea which deserves your strongest consideration.

Sincerely,



Ted Fava

EXHIBIT